

**CITY OF EUREKA  
CITY COUNCIL/  
REDEVELOPMENT AGENCY  
AGENDA**

Marian Brady 1<sup>st</sup> Ward  
Linda Atkins 2<sup>nd</sup> Ward  
Mike Newman 3<sup>rd</sup> Ward  
Melinda Ciarabellini 4<sup>th</sup> Ward  
Lance Madsen 5<sup>th</sup> Ward



Frank Jäger, Mayor

**REGULAR MEETING  
TUESDAY, MARCH 1, 2011  
CLOSED SESSION 5:00 P.M.  
REGULAR SESSION 6:00 P.M.  
COUNCIL CHAMBER  
531 K STREET  
EUREKA, CA 95501**

David Tyson, City Manager  
Pam Powell, City Clerk  
William Bragg, Interim City Attorney

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**CLOSED SESSION**

*If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.*

**A. PUBLIC COMMENT PERIOD**

(Limited to 3 minutes each speaker on closed session agenda items only)

**B. Conference with labor negotiators**

Agency designated representatives: Gary Bird for City of Eureka  
Employee organization: Eureka Firefighters' Local #652 (EFL) and Eureka Fire Officers Local (EFOL).

*Pursuant to California Government Code Section 54957.6*

**C. Conference with real property negotiators - Property: APN 001-054-45 and 001-054-13**

Agency negotiator: David W. Tyson for the City of Eureka  
Negotiating Parties: Eureka Waterfront Partners  
Under negotiation: price, terms, and conditions  
*Pursuant to California Government Code Section 54956.8*

**D. Conference with labor negotiators**

Agency designated representatives: David Tyson for City of Eureka  
Employee organization: Unrepresented management, mid-management, and confidential employees.  
*Pursuant to California Government Code Section 54957.6*

**E. Conference with real property negotiators**

Property: Coastal Dependent Industrial property located on the water side of Waterfront Drive, westerly of the Eureka Small Boat Basin; upland portion of APN 003-062-021.  
Agency negotiator: David Tyson for the Eureka Redevelopment Agency  
Negotiating parties: David Schneider  
Under negotiation: price, terms, and conditions.  
*Pursuant to California Government Code Section 54956.8*

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**REGULAR SESSION – 6:00 P.M.**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**REPORT OUT OF CLOSED SESSION**

**MAYOR’S ANNOUNCEMENTS**

Presentation of Proclamations: Arbor Day  
Eureka Heritage Society Preservation Award

**COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS**

Councilmember Ciarabellini: Grant Elementary Walkability Assessment  
Councilmember Atkins: Professional Service Contracts

**PUBLIC COMMENT PERIOD**

*This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.*

*Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.*

1. Is there any person in the audience who wishes to address the Council at this time?

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**CONSENT CALENDAR**

**Notice to the Public:** *All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.*

2. Council meeting minutes.  
Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of January 18, 2011 and special Council/Redevelopment Agency Board meeting minutes of January 7, 2011 as submitted.  
(City Clerk)
3. Samoa Peninsula Fire District Agreement  
Recommendation: Authorize the City Manager to enter in an agreement with Samoa Peninsula Fire District, Humboldt Fire District #1, and Arcata Fire Protection District to provide emergency response to the Samoa Peninsula Fire District.  
(Fire Chief)
4. Correspondence Policy  
Recommendation: Adopt Policy No. 1.12 "Council Correspondence Policy" as a policy of the City Council.  
(City Clerk)
5. Redevelopment Agency – Joint Resolution Amending the Agreement for the Construction of Public Improvements  
Recommendation: Adopt the Joint Resolution of the City Council and Redevelopment Agency approving the thirty-fourth amendment for the Construction of Public Improvements within the Century III Phase I, Century III Phase II, and the Eureka Tomorrow Redevelopment Projects.  
(Redevelopment Director)
6. Bid Protest Procedure Policy  
Recommendation: Adopt Policy No. 6.20 "Bid Protest Procedure" as a policy of the City Council.  
(Assistant City Manager)

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#### **ORDINANCES/RESOLUTIONS**

7. Redevelopment Agency – Joint Resolution in Opposition to the Administration's Proposal to Abolish Redevelopment Agencies in California  
Recommendation: Adopt a Joint Resolution of the City Council and the Redevelopment Agency opposing the Administration's Proposal to Abolish Redevelopment Agencies in California.  
(Redevelopment Director)
8. Redevelopment Agency – Joint Resolution in Opposition to the Administration's Proposal to Abolish Enterprise Zones in California

Recommendation: Adopt a Joint Resolution of the City Council and Redevelopment agency opposing the Administration's Proposal to Abolish Enterprise Zones in California.  
(Redevelopment Director)

9. Transient Occupancy Tax Lien

Recommendation: Adopt, waive reading, and read by title only bill No. 834-C.S. an Ordinance of the City of Eureka Amending Chapter 35 of the Eureka Municipal Code to authorize the use of Lien Procedures for the Collection of Delinquent Transient Occupancy Taxes.  
(City Manager)

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**REPORTS/ACTION ITEMS**

10. Swim Possible

Recommendation: Receive a report from "Swim Possible" regarding their interest in the Redevelopment Agency owned Carson Mill property. (No Action Required)  
(City Manager)

11. Medical Cannabis Selection Committee Recommendations

Recommendation: 1. Invite Compassionate Care of Eureka to submit an application for a Conditional Use Permit to establish a medical cannabis cultivation, production and distribution facility in city limits; and  
2. Invite Humboldt Bay Wellness to submit an application for a Conditional Use Permit to establish a medical cannabis distribution only facility in city limits; and  
3. Invite Natural Green Health Center to submit an application for a Conditional Use Permit to establish a medical cannabis cultivation, production and distribution facility in city limits.  
(City Manager)

12. Ridgewood Village Project

Recommendation: Authorize the Mayor to sign a letter to the Humboldt County Board of Supervisors regarding the City Council's concerns related to the Ridgewood Village project and draft Environmental Impact Report.  
(Councilmember Madsen)

13. County General Plan

Recommendation: Authorize the Mayor to sign a letter to the Humboldt County Board of Supervisors expressing the City's concern about the County's General Plan Update process and requesting the Update be placed on hold to allow for the creation of Citizen Advisory Committees, which will assist in making the update process more inclusive.  
(Councilmember Madsen)

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**CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS**

Eureka Fire Department Monthly Report

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**ADJOURNMENT**

*If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.*

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## NOTICES

- The City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at [www.ci.eureka.ca.gov](http://www.ci.eureka.ca.gov).
- The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.
- Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, Eureka, CA 95501.
- The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.
- All persons in attendance at public meetings are requested to observe the following rules of civil debate:
  1. We may disagree, but we will be respectful of one another.
  2. All comments will be directed to the issue at hand.
  3. Personal attacks are unacceptable.

Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at [www.accesshumboldt.net](http://www.accesshumboldt.net) – Search archives “Eureka City Council Meetings”.
- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail [ppowell@ci.eureka.ca.gov](mailto:ppowell@ci.eureka.ca.gov) or contact the City Clerk's office at (707) 441-4175.